

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

<p>MICHAEL GOLDEMBERG, ANNIE LE, and HOWARD PETLACK, on behalf of themselves and all others similarly situated,</p> <p style="text-align:right">Plaintiffs,</p> <p style="text-align:center">v.</p> <p>JOHNSON & JOHNSON CONSUMER COMPANIES, INC.,</p> <p style="text-align:right">Defendant.</p>	<p>Case No. 7:13-cv-03073-NSR-LMS</p> <p>NOTICE OF MOTION FOR CLASS CERTIFICATION</p>
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PLEASE TAKE NOTICE that on a date and time convenient to the Court, Plaintiffs in the above captioned matters will move for class certification, pursuant to Rule 23 of the Federal Rules of Civil Procedure and respectfully request that the Court certify the following classes:

All persons who purchased Defendant's Products in New York during the applicable limitations period.

All persons who purchased Defendant's Products in California during the applicable limitations period.

All persons who purchased Defendant's Products in Florida during the applicable limitations period.¹

¹ "Products" refers to those listed in Paragraph 1 of the Amended Class Action Complaint, which are listed for the Court's convenience in the Garber Decl. at paragraph 3. In the alternative, Plaintiffs move to certify the New York, California and Florida Classes on behalf of purchasers of "Purchased Products" (*i.e.* those purchased by the respective class representatives). Plaintiff Goldemberg's (New York) Purchased Products can be found at paragraph 18 of the Amended Complaint and paragraph 4 of the Garber Decl., Plaintiff Lee's (California) "Purchased Products" can be found at paragraph 22 of the Amended Complaint and paragraph 5 of the Garber Decl., and Plaintiff Petlack's (Florida) "Purchased Products" can be found at paragraph 26 of the Amended Complaint and paragraph 6 of the Garber Decl. Excluded from every proposed class definition are current and former officers and directors of Defendant, members of the immediate families of the officers and directors of Defendant, Defendant's legal

In support of this motion, Plaintiffs will submit a memorandum of law and the
Declarations of Todd S. Garber and Kim E. Richman.

Date: September 18, 2015

**FINKELSTEIN, BLANKINSHIP, FREI-PEARSON &
GARBER, LLP**

/s/ Todd S. Garber

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representatives, heirs, successors, or assigns, and any entity in which they have or have had a controlling interest, and the judicial officer to whom this lawsuit is assigned.